

Claim 8, the independent apparatus claim is an apparatus "for applying a thin film coating to a substrate".

All of the structure there is defined to insure that the product is a substrate having a thin film coating applied thereto.

For example, the claim requires the presence of a crucible in the chamber and a high energy source for heating a component of a coating to be deposited in the crucible. The claim requires a substrate holder receiving the substrate "to be coated" in juxtaposition with the crucible. In fact, each element of the claim, as claimed, is directed to forming the coating, providing the conditions for forming the coating and contributing toward the deposit of the reaction product which is the coating on the substrate. As claimed, therefore, the apparatus absolutely cannot be used to practice any different process from that of the method claims.

Furthermore, the only way the apparatus of the Group II claims could be used for a materially different process is to ignore express limitations in those claims. One would have to ignore the source for producing the plasma, the means for feeding the gas mixture capable of reaction, the low energy electron source which reduces the self bias and produces the reaction component, etc.,

Certainly that modification would so alter the apparatus that it would not be the apparatus "as claimed".

apparatus which would be accompanied by the application of a thin film coating to the

substrate. Since claim 1, for example, does not exclude an etching in addition to the thin film coating and since claim 8 must perform thin film coating if operated as recited, it should be clear that the apparatus as claimed cannot be used to practice another or a materially different process.

Needless to say, the claims are so related as a side by side comparison of claims 1 and 8 will show, that they are best treated in a single application. Applicants respectfully request, therefore, that the restriction requirement be withdrawn and an action granted on the merits of all of the claims in the case.

Respectfully submitted,
The Firm of Karl F. Ross P.C.



Herbert Dubno, Reg. No. 19,752
Attorney for Applicant

DB-
DATED: 4 April 2003
5676 Riverdale Avenue Box 900
Bronx, NY 10471-0900
Cust. No.: 535
Tel: (718) 884-6600
Fax: (718) 601-1099